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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,321	12/31/2003	Michael D. Kotzin	CS10665	1712

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MOTOROLA INC
600 NORTH US HIGHWAY 45
ROOM AS437
LIBERTYVILLE, IL 60048-5343

EXAMINER	
LEE, CHUN KUAN	

ART UNIT	PAPER NUMBER
2181	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/749,321	KOTZIN, MICHAEL D.	
	Examiner	Art Unit	
	Chun-Kuan (Mike) Lee	2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 June 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6-7, 10-11, 15-16 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Raverdy et al. (US Patent 6,957,217).

As per claims 1 and 15, Raverdy teaches a system, method and application for selectively providing information to a user device comprising:

a CPU (Figure 5, where "CPU" is read on "processor");

an interface unit, coupled to the CPU, including:

a user interface for receiving user input information from the user (Figures 5-7; column 8, lines 23-50 and column 10, lines 18-39, where "user interface" is read on "data input device" and "user input information" is read on "user attribute information");

an I/O interface for receiving and transmitting user information (Figures 5-7; column 8, lines 23-50 and column 10, lines 18-39, where "I/O interface" is read on "network interface" and "user information" is read on "user presence attribute information"); and

a server memory, coupled to the interface unit and the CPU, including server content information and access right information organized and arranged as one or more entries in a data structure (Figures 6-8; column 8, lines 23-50 and column 9 line 11 to column 11 , line 5, where "server memory" is read on "storage unit", "server content information" is read on "presence attribute information" and "access right information" is read on "associated access authorization information");

wherein said access right information is associated with the corresponding the server content information, each server content information have a content information field, corresponding to a types of content information, and the access right information have a corresponding user field identifying the user and an user information, wherein the user information defined the conditions when the type of content information is available to the corresponding identified user (Figures 6-8; column 8, lines 23-50 and column 9 line 11 to column 11, line 5, where "content information" is read on "presence attributes" and "user information" is read on "access condition entry").

As per claim 6, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the user information includes in the predetermined location profiles (Figures 3-4; Figures 6-8; column 7, line 22 to column 8, line 50 and column 9 line 11 to column 11, line 5, where "location profiles" is read on "proximity relative to a predetermined location").

As per claim 7, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the predetermined location includes a particular location (Figures 3-4; Figures 6-8; column 7, line 22 to column 8, line 50 and column 9 line 11 to column 11, line 5, where "particular location" is read on "specific location").

As per claim 10, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the location is relative to the user device associated with the content information location (Figures 3-4; Figures 6-8; column 7, line 22 to column 8, line 50 and column 9 line 11 to column 11, line 5, where "user device" is read on "item or person").

As per claim 11, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the location is relative to the user device requesting the content information (Figures 3-4; Figures 6-8; column 7, line 22 to column 8, line 50 and column 9 line 11 to column 11, line 5, where "user device" is read on "user").

As per claim 16, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein said interface unit is further adapted to receive user information associated with the user device, which are used to formulate access right information (Figures 3-4; Figures 6-8; column 7, line 22

to column 8, line 50 and column 9 line 11 to column 11, line 5, where "user information" is read on "access conditions").

As per claim 19, Raverdy teaches the system, method and application for selectively providing information to a user device further comprising I/O interface, coupled to the interface unit and the server memory, the I/O interface being adapted to transmit update user information to the event server and the user device, that are currently authorized to receive updates, when the access rights of the particular user device expires (Figures 6-9; column 8, lines 3-50 and column 9 line 11 to column 11, line 63, where "I/O interface" is read on "broadcast unit", "event server" is read on "at least one of a presence attribute information server", "user device" is read on "subscribed users" and "access rights of the particular user device expires" is read on "presence information changes"), wherein the I/O interface is coupled to the access right manager and wherein the access right manager is utilized for the means of authorization.

As per claim 20, Raverdy teaches the system, method and application for selectively providing information to a user device further comprising wherein the I/O interface coupling to the access right manager includes a set of program instructions for execution by the CPU (Figures 6-9; column 8, lines 3-50 and column 9 line 11 to column 11, line 63, where "program instructions" is read on "prestored instructions").

As per claim 21, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the system, method and application for selectively providing information to a user device is incorporated as part of a portable device (Figure 1; column 1, line 56 to column 2, line 8 and column 3, line 55 to column 4, line 54, where "portable device" is read on "portable electronic device").

As per claim 22, Raverdy teaches the system, method and application for selectively providing information to a user device comprising wherein the portable device is a wireless radio frequency telephone (Figure 1; column 1, line 56 to column 2, line 8 and column 3, line 55 to column 4, line 54).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-5, 13-14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy et al. (US Patent 6,957,217) in view of Wade et al. (US Patent 5,552,776).

As per claim 2, Raverdy teaches the system, method and application for selectively providing information to a user device comprising access to various services

and content information based on time-stamped access capability (column 11, lines 6-63).

Raverdy does not teach the system, method and application for selectively providing information to a user device comprising the matching of a predetermined period of time.

Wade teaches a security system and method for controlling access to computing device comprising matching of a predetermined period of time in order to gain access into the computing device (Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41).

Therefore, it would have been obvious to one of ordinary skill in this art, at the time of invention was made to modify Raverdy to include in the system, method and application for selectively providing information to a user device comprising wherein the user information includes a predetermined period of time to be matched.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to have modify Raverdy by the teaching of Wade, because to include in the system, method and application for selectively providing information to a user device comprising wherein the user information includes a predetermined period of time to be matched, will provide an improved security control over access of data in a computing device.

As per claim 3, Raverdy as modified teaches the system, method and application for selectively providing information to a user device comprising wherein the

predetermined period of time includes a time of day (Wade, Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41).

As per claim 4, Raverdy as modified teaches the system, method and application for selectively providing information to a user device comprising wherein the predetermined period of time includes a day of the week (Wade, Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41).

As per claim 5, Raverdy as modified teaches the system, method and application for selectively providing information to a user device comprising wherein the predetermined period of time includes a point in time identifying the beginning of the predetermined period and a point in time identifying the end of the predetermined period (Wade, Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41).

As per claim 13-14 and 23, Raverdy teaches the system, method and application for selectively providing information to a user device comprising the access right manager and the login manager, coupled to the interface unit and the server memory, the access right manager and login manager being adapted for (Figures 5-6 and column 9, line 11 to column 11, line 63, where "access right manager and login manager" is read on "access validation unit"):

performing the login procedure in order for the user device to gain access to server content information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to

column 11, line 63, where "server content information" is read on "presence attribute information");

receiving the user information from the user device requesting the content information, the user information of the user device associated with the content information, and the time-stamp information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63, where "user information" is read on "status information" and "user device" is read on " at least one of item or person");

comparing the same to the corresponding access right information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63); and

authorizing access to the content information, if the appropriate access conditions have been met (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63);

wherein the access right manager and the login manager include program instructions for execution by the CPU (Figures 6-9 and column 9, line 11 to column 11, line 63, where "program instructions" is read on "a set of prestored instructions");

identifying the user device requesting the content information (Figure 6-8 and column 10, lines 18-39);

determining whether the user device requesting the content information is authorized to have access to the requested content information including (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63):

receiving any user information relative to the requesting user device associated with receiving access to the content information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63), and

determining whether the received user information associated with receiving access have been met (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63); and

wherein, if the user device has met the conditions associated with receiving access, then forwarding the content information to the requesting user device (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63).

Raverdy does not teach the system, method and application for selectively providing information to a user device comprising:

receiving a request access for the content information; and

wherein the time-stamp include the current time and date.

Wade teaches a security system and method for controlling access to computing device comprising:

requesting access to a computing device (column 8, lines 53-65 and column 16, line 58 to column 17, line 7);

matching of a predetermined period of time in order to gain access into the computing device (Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41); and

wherein the period of time include the time of date and date of week (Figure 3; column 7, lines 20-46 and column 9, line 35 to column 10, line 41).

Therefore, it would have been obvious to one of ordinary skill in this art, at the time of invention was made to modify Raverdy to include in the system, method and application for selectively providing information to a user device comprising:

receiving a request access for the content information; and

wherein the time-stamp information include the current time and date.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to combine Raverdy and Wade for reason stated above.

3. Claims 8-9 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy et al. (US Patent 6,957,217) in view of Fushiki et al. (US Patent 6,433,704).

As per claims 8-9 and 17-18, Raverdy teaches the system, method and application for selectively providing information to a user device comprising:

a base station coupled to the user device (Figure 1);

the location profiles (Figures 3-4; Figures 6-8; column 7, line 22 to column 8, line 50 and column 9 line 11 to column 11, line 5); and

the user interface including a keyboard device and a display device that allow the system user to communicate with the event server (Figure 5 and column 8, lines 3-64, where "keyboard device " is read on "data input device" and "display device" is read on "data output device")

Raverdy does not teach the system, method and application for selectively providing information to a user device comprising:

wherein the predetermined location include the present place;

wherein the proximity corresponds to a predetermined distance;

presenting the condition associated with authorizing access in an iconic format; and

the data input device is further adapted for modifying the conditions being presented by the data output device associated with authorizing access to presence attribute information associated with one or more users.

Fushiki teaches a system and method comprising:

a communication device comprising of a communication interface, memory and processor (Figure 2; Figure 8; Figure 10 and column 4, lines 24-37);

the longitude and latitude information to represent the present position of the portable terminal (Figure 4; Figure 6; Figure 9 and column 7, lines 4-47); and

the coverage area for the corresponding communication device (Figure 1; Figure 7 and column 6, lines 33-64, where "coverage area" is read on "predetermined distance");

the display screen presenting requested information in an iconic format through using graphic user interface (GUI) for data inputting (Figure 12 and column 9, lines 4-44, where "display screen" is read on "data output device"); and

the GUI is adapted to modify the requested information being presented by the display screen (Figure 12 and column 9, lines 4-44).

Therefore, it would have been obvious to one of ordinary skill in this art, at the time of invention was made to modify Raverdy to include in the system, method and application for selectively providing information to a user device comprising:

wherein the predetermined location include a present location of the user device using the longitude and latitude information;

wherein the proximity corresponds to the coverage area of the base station coupled to the user device;

wherein the interface unit further include the display device for presenting conditions associated with the authorization condition in an iconic format; and

wherein said user interface comprising the keyboard device is adapted for modifying the conditions being presented by the display device associated with authorizing access to server content information associated with the user device.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to have modify Raverdy by the teaching of Fushiki, because to include in the system, method and application for selectively providing information to a user device comprising:

wherein the predetermined location include a present location of the user device using the longitude and latitude information;

wherein the proximity corresponds to the coverage area of the base station coupled to the user device,

wherein the interface unit further include the display device for presenting conditions associated with the authorization condition in an iconic format; and

wherein said user interface comprising the keyboard device is adapted for modifying the conditions being presented by the display device associated with authorizing access to server content information associated with the user device, would allow accurate determination of the position of the user device globally.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy et al. (US Patent 6,957,217) in view of Kruse et al. (US Patent 6,684,279).

As per claim 12, Raverdy teaches the system, method and application for selectively providing information to a user device comprising:

wherein the user information contain access conditions for the associated content information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63); and

determining whether the user device is authorized or precluded to access the associated content information (Figures 6-9; column 2, lines 20-58 and column 9, line 11 to column 11, line 63).

Raverdy does not teach the system, method and application for selectively providing information to a user device comprising wherein the user information include a flag, when an access condition is met, identifies whether access to the associated content information is authorized or precluded.

Kruse teaches a method apparatus and program for controlling data transfer comprising setting a flag when a condition is met, which identifies whether the access to a bus is authorized or precluded (Figure 12 and column 23, line 28 to column 24, line 6)

Therefore, it would have been obvious to one of ordinary skill in this art, at the time of invention was made to modify Raverdy to include in the system, method and application for selectively providing information to a user device comprising wherein the user information include a flag, when an access condition is met, identifies whether access to the associated content information is authorized or precluded.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to have modify Raverdy by the teaching of Kruse, because to include in the system, method and application for selectively providing information to a user device comprising wherein the user information include a flag, when an access condition is met, identifies whether access to the associated content information is authorized or precluded, would provide data access control without using another dedicated signal line.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671 and email is chun-kuan.lee@uspto.gov. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Popovici Dov can be reached on (571)272-4083. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

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Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

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C.K.L.
12/20/2005